

Amendment No. 1 to HB0172

Coleman
Signature of Sponsor

AMEND Senate Bill No. 735

House Bill No. 172*

by deleting all language following the enacting clause and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 30-2-301(b)(6)(A), is amended by deleting the language "Following expiration of the sixty-day period," and by substituting instead the language "Following expiration of the sixty-day period, specified in subsection (a),"

SECTION 2. Tennessee Code Annotated, Section 30-2-301(b)(6), is amended by deleting subdivisions (B) and (C) in their entirety, and by substituting instead the following language:

(B)

(i) The person or entity filing notice pursuant to subdivision (b)(6)(A) shall be entitled to a reasonable fee for each legatee or distributee for whom the person or entity filing the notice provides satisfactory proof, as defined in subdivision (b)(6)(C), of the legatee or distributee's relationship to the decedent.

(a) Other than a reasonable fee, such person or entity shall not be entitled to any other compensation from any person or entity, including any legatee or distributee, for providing the information to the legatee or the distributee or to the clerk.

(b) Such fee shall be determined by the contract between the legatee or distributee and the person or entity filing the notice; provided, however, such fee shall not exceed one-third (1/3) of the legatee or distributee's interest.

(c) Any contract entered into between a person or entity filing notice pursuant to subdivision (b)(6)(A) and a legatee or distributee prior

to the expiration of the sixty-day period specified in subsection (a), shall be null and void and unenforceable in a court of law.

(ii) If more than one person or entity submits accurate identifying information to the clerk, then the person or entity that has a contract with the legatee or distributee shall be entitled to the fee provided by this subdivision (6).

(C) For the purposes of this subdivision (6), any one of the following constitutes satisfactory proof of the relationship between the legatee or distributee and the decedent:

- (i) An affidavit of pedigree pursuant to § 30-2-711;
- (ii) An affidavit of heirship pursuant to § 30-2-712;
- (iii) Vital records establishing the relationship; or
- (iv) Other proof satisfactory to the court.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.